

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

DLR INTERNATIONAL FREIGHT
FORWARDERS, INC.,

Plaintiff,

v.

DLR MERCANTILE SHIPPING USA, INC.
CHARLES MARRALE and GARY NEIMAN,

Defendants.

: Civil Case No. 08-2394 (FSH)

: **ORDER ON PRELIMINARY
INJUNCTION**

: Date: June 11, 2008

HOCHBERG, District Judge.

This matter comes before the Court upon the filing of Plaintiff's Verified Complaint and request for a preliminary injunction (Dkt. 1) and after a hearing held on June 11, 2008; and

it appearing that the Court ordered certain temporary restraints on May 16, 2008 (Dkt. 2);

and

it appearing that the parties consented to a modification of the temporary restraints, which was Ordered by the Court on May 23, 2008 (Dkt. 9); and

it appearing that at the hearing held on June 11, 2008 the parties consented to the continuation of the temporary restraints;

IT IS therefore on this 11th day of June, 2008,

ORDERED that the Court's Order dated May 16, 2008, as modified by stipulation on May 23, 2008, remains unchanged, except that Defendants' deadline to answer or otherwise respond to the Complaint shall be **Monday, July 28, 2008**; and

ORDERED that no later than **Thursday, June 12, 2008**, Defendants shall provide any passwords necessary to access the website “dlrcargo.com” and Defendants shall have no further access to the website “dlrcargo.com” and Defendants shall not change any passwords or documents on the website; and

ORDERED that no later than **Thursday, June 19, 2008**, Defendants shall provide all information and documentation necessary to transfer ownership to Plaintiff of the website “dlrcargo.com”;

ORDERED that no later than **Thursday, June 19, 2008**, the parties shall provide the following expedited discovery:

1) Defendants shall provide a complete list of transactions where Defendants have used the DLR name and/or the DLR International Freight Forwarders, Inc. Federal Maritime Commission license (“FMC Licence”);

2) Plaintiff shall provide all documents which support the demurrage charges claimed as damages in this case; and

ORDERED that no later than **Thursday, July 3, 2008**, Plaintiff may take one 30(b)(6) deposition and Defendants may take one 30(b)(6) deposition. In connection with these depositions, the parties may demand no more than 30 documents. The parties shall meet and confer to determine the location of these depositions; and

ORDERED that, by consent, other than winding down and completing the transactions listed in the exhibit to the May 23, 2008 order, Defendants shall do no further business using Plaintiff’s FMC License or the business name of DLR International Freight Forwarders, Inc.; and

ORDERED that, until further Order of this Court, Defendants shall conduct no further business using the name “DLR” in connection with any shipping or freight forwarding business; and

ORDERED that the parties shall abide by all electronic and document preservation rules; and

ORDERED that the parties shall contact Magistrate Judge Shwartz to set a time and date for a Rule 16 conference; and

ORDERED that if no stipulation of settlement is filed by **Tuesday, September 9, 2008**, the parties consent to attend court-annexed mediation. Discovery shall not be stayed during mediation.

/s/ Faith S. Hochberg
Hon. Faith S. Hochberg, U.S.D.J.